



Attorney Docket No. 6573.204-US
Kaarsholom et al.
Serial No. 10/825,995 Filed April 16, 2004

Attorney Docket No.: 6573.204-US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Kaarsholom et al.

Application No.: 10/825,995

Group Art Unit: To be assigned

Filed: April 16, 2004

Examiner: To be assigned

Confirmation No.: 9239

For: Stabilised Insulin Compositions

**RESPONSE TO NOTICE TO FILE MISSING PARTS
OF NONPROVISIONAL APPLICATION**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is submitted in response to Notice to File Missing Parts of Nonprovisional Application mailed June 28, 2004, having a shortened statutory period for reply set to expire August 28, 2004, subject to extensions of time under the provisions of 37 CFR §1.136(a).

Applicant believes no fee is necessary to timely file this paper, as August 28, 2004, fell on a Saturday, thereby permitting a timely response to be filed the next business day, Monday, August 30, 2004. However, should any petition or fee be required for timely filing of this paper/response, Applicant hereby petitions for such Extension of Time and hereby grants authorization to charge Deposit Account No. 14-1447, in the name of Novo Nordisk Pharmaceuticals, Inc., for any such required fee.

The above-identified Notice to File Missing Parts of Nonprovisional Application states that an executed copy of the oath or declaration is missing.

Applicant submits the required documentation and surcharge fee authorization herewith.

The Notice to File Missing Parts of Nonprovisional Application additionally states that a substitute specification in compliance with 37 C.F.R. 1.52, 1.121(b)(3) and 1.125 is required. Specifically, the specification contains drawings or flow diagrams (37 C.F.R.

1.58(a)) on pages 1-14. Drawings or flow diagrams cannot be imbedded in the specification and should be submitted separately in accordance with 37 C.F.R. 1.84.

Applicant respectfully submits the chemical structures and chemical formulae found on pages 1-14 of the specification as originally filed are neither drawings nor flow diagrams and thus are permitted within the specification pursuant to 37 C.F.R. 1.58(a).

Applicant respectfully submits a flow diagram is defined as a schematic representation of a sequence of operations (*The American Heritage Dictionary*, Second College Edition, 1985). The equation located on page 2, lines 8-9 of the specification as originally filed is an expression describing the kinetics of an allosteric protein, not a representation of a series of operations to be performed, and is therefore not a flow diagram.

Applicant respectfully submits the chemical structures located on page 7, line 23, page 9, line 31, page 12, line 13, and page 13, lines 5, 10, 15 and 20 of the specification as originally filed are chemical formula representations permitted within the guidelines of 37 C.F.R. 1.58(a). Such representations of chemical structures are found within the specifications of innumerable issued U.S. patents.

Applicant respectfully requests reconsideration and withdrawal of the requirement to submit a substitute specification for the above-identified patent application. A duplicate of this sheet is enclosed.

Respectfully submitted,

Date: August 30, 2004



Rosemarie R. Wilk-Orescan
Registration Number 45,220
Novo Nordisk Pharmaceuticals, Inc.
100 College Road West
Princeton, NJ 08540
(609) 987-5969

Use the following customer number for all correspondence regarding this application.

23650

PATENT TRADEMARK OFFICE



Attorney Docket No.: 6573.204-US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Kaarsholm et al.

Serial No.: 10/825,995

Group Art Unit: To be assigned

Filed: April 16, 2004

Examiner: To be assigned

For: Stabilised Insulin Compositions

CERTIFICATE OF MAILING UNDER 37 CFR 1.8(a)

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I hereby certify that the attached correspondence comprising:

1. Response to Notice to File Missing Parts (in duplicate)
3. Copy of Notice to File Missing Parts
4. Executed Combined Declaration and Power of Attorney

is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on August 30, 2004

Rashida Haji
(name of person mailing paper)

Rashida Haji
(signature of person mailing paper)

000R/LBNS

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IFW

UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/825,995	04/16/2004	Niels Christian Kaarholm	6573.204-US

23650
NOVO NORDISK PHARMACEUTICALS, INC.
100 COLLEGE ROAD WEST
PRINCETON, NY 08540

CONFIRMATION NO. 9239

FORMALITIES LETTER



OC000000013078740*

DOCKET (check off ✓)

ATTY:

IRAB DCT 7/5/04

Date Mailed: 06/28/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

JUL 01 2004

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- A substitute specification in compliance with 37 CFR 1.52, 1.121(b)(3), and 1.125, is required. The specification, claims, or abstract page(s) submitted is not acceptable and cannot be scanned or properly stored because:
 - The specification contains drawings or flow diagrams (37 CFR 1.58(a)) on page(s) 1-14. Drawings or flow diagrams cannot be embedded in the specification and should be submitted separately in accordance with 37 CFR 1.84. (Both a substitute specification and substitute drawings are required).

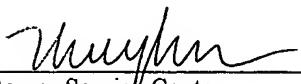
SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center

Initial Patent Examination Division (703) 308-1202

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